

Notice of Allowability

Application No.

09/940,506

Examiner

Kristie Shingles

Applicant(s)

KAMEYAMA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/21/2006.
2. ☒ The allowed claim(s) is/are 15-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER

kds/20060530

DETAILED ACTION

Per Applicant's Request for Continued Examination:

*Claim 15 has been amended. Claims 1-14 have been cancelled. Claims 16 and 17 are new.
Claims 15-17 are pending.*

Claims 15-17 are allowed.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/21/2006 has been entered.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. Regarding the specification, the title of the invention, "Data Transfer Method" is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is hereby suggested—“**Data Transfer and Intermission Between Parent and Child Processes**”—.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

The prior art or record fails to teach neither singly nor in combination, the claimed limitation of “setting a flag if the first process receives data which is transmitted via the first virtual interface connection and issuing, from the first process to the second process, a request for intermission of data transmission to the first process” as stated in independent Claim 15 (and Specification: page 2 paragraph 0043). Specifically, the prior art of record, *Mohrmann* (US 5,325,530) teaches the forking method, wherein the child process is spawned from the parent process and the parent process is suspended while a socket for communicating between the processes is established (col.6 line 32-col.7 line 23). Yet *Mohrmann* fails to teach the setting of a flag, issuing a request for intermission and an acknowledgement of the request for intermission. And although, prior art of record, *Iizuka et al* (US 6,424,833) teach handing-off control from one base station to another in a mobile communication system with hand-off acknowledgement, the hand-off process happens between two remote base stations (Abstract, col.7 line 40-col.8 line 42) which differs from Applicant's claimed invention which switches control between two processes—the parent and child—within a common processor, wherein the data from the parent process is copied to the child process (Specification: page 3 paragraphs 0054-0058). These limitations, in conjunction with other limitations in the independent and dependent claims, are not specifically disclosed or remotely suggested in the prior art of record. A review of Claims

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15-17, in view of the Examiner's remarks above, indicates that Claims 15-17 are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure: Olds et al (5,867,789), Farewell et al (5,444,766), Van Venrooy et al (5,860,020), Goyal et al (6,976,258), Chikuma et al (6,947,435), Yu et al (5,721,876), Stapleton (6,167,363), Browning et al (5,717,926), Voll et al (6,170,018).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

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